

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Calvin B. Johnson,

Plaintiff,

v.

Civil No. 08-5221 (JNE/RLE)
ORDER

Michael W. Mott, Police Chief,
and City of Milaca,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Raymond L. Erickson, Chief United States Magistrate Judge, on January 16, 2009. The magistrate judge recommended that Defendants' motion to dismiss be granted and that this action be dismissed with prejudice. Plaintiff objected. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendants' Motion to Dismiss [Docket No. 8] is GRANTED.
2. This action is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 9, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge